



Arizona State Senate Issue Brief

January 2, 2008

Note to Reader:

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PHOTO TRAFFIC ENFORCEMENT

INTRODUCTION

Photo enforcement systems, commonly referred to as photo radar, utilize digital cameras, computers and radar sensors to detect violations of speed limit and red light laws.

There are two types of photo radar systems, fixed and mobile. A fixed photo radar system is the most common form of photo radar and can be installed on the side of a road or mounted overhead in gantries, while a mobile photo radar system is mounted on a mobile device that usually takes one of two basic forms: 1) a photo radar camera or sensor that can be moved from one fixed location to the next; or 2) a photo radar camera or sensor that is mounted in a van or tethered to a vehicle.

Photo radar typically utilizes two cameras to identify the vehicle and driver involved in speeding or red light violations. One camera is utilized to produce an image of the oncoming driver's face while the other camera is used to identify the vehicle's rear license plate.

ARIZONA USAGE OF PHOTO ENFORCEMENT

Under most contracts in Arizona, when traffic violations are detected using photo radar, the photo radar vendor reviews and validates the citation. Upon validation, a traffic citation is filed against the registered owner of the vehicle in the appropriate municipal court having jurisdiction over the violation. After the citation is filed, notice is sent by mail to the vehicle's registered owner. If the owner does not respond, a process server is sent to serve the complaint to the owner in person or may leave copies at the owner's home with another resident of suitable age and discretion. If the person in the photograph is not the registered owner of the vehicle, municipalities may allow the owner to identify the driver and transfer responsibility for the traffic citation.

Currently, there is only one statute, A.R.S. § 28-654, governing the use of photo radar to identify traffic violations in Arizona. The statute requires local municipalities using photo radar systems to display signs indicating to drivers on the road that a photo radar system is present and operational.

LOOP 101

The Phoenix metropolitan area was an early adopter of photo radar systems and numerous cities across the state have since begun to utilize the technology including Scottsdale, Chandler, Mesa, Paradise Valley, Tempe, Prescott and Tucson.

The City of Scottsdale began operating cameras in its municipality approximately seven years ago and in the fall of 2005 the Scottsdale City Council approved a demonstration program using six fixed photo radar detection systems on a 7.8 mile stretch of Scottsdale's portion of the Loop 101 Freeway. The use of photo enforcement technology to reduce speeding on a freeway was a first for Arizona. The Loop 101 demonstration program was also the first fixed photo radar system utilized on a freeway in the United States.

Scottsdale's program began with a 30-day warning period designed to alert drivers that photo radar would be operational on the freeway. During the warning period, notices were mailed to the registered owners of violating vehicles notifying them of potential fines if future infractions were observed. Upon conclusion of the warning phase, Scottsdale initiated an eight-month period of photo enforcement in which drivers were issued citations, rather than warnings, for speeding violations. The program's citation phase ended on October 23, 2006; however, Scottsdale left a majority of the photo radar equipment in place in order to continue to collect data on driver speeds.

An Arizona State University research team, led by internationally-recognized civil engineering professor Dr. Simon Washington, issued a preliminary report stating that the Loop 101 Freeway cameras had lowered average speeds by approximately 10 miles per hour and reduced the overall number and severity of collisions. Following the report, Scottsdale's City Council voted unanimously to request the state of Arizona to assume operations of photo enforcement programs on highways, specifically on Scottsdale's portion of the Loop 101. Correspondence between the City of Scottsdale

and the Governor's office resulted in a request that Scottsdale redeploy the photo enforcement cameras on the Loop 101 through June 30, 2007, in order to give the Arizona Department of Public Safety (DPS) ample time to implement a comprehensive, statewide photo enforcement program. The City Council agreed, and the Loop 101 cameras were reactivated on February 22, 2007.

STATEWIDE PHOTO ENFORCEMENT

DPS' statewide photo enforcement program (program) is the first of its type in the nation. The program will continue to utilize the six stationary cameras on the Loop 101 Freeway to detect speed limit violations through an intergovernmental agreement with the City of Scottsdale.

In addition to the Loop 101 cameras, DPS recently awarded a contract for two mobile speed enforcement vehicles to be used on highways throughout Arizona. The vehicles were deployed on November 15, 2007, and according to DPS will primarily concentrate on enforcing speed limits on freeways, two-lane roads, areas with high collision rates and construction zones. The cameras are currently programmed to take pictures and issue citations to motorists traveling at least 11 miles per hour over the posted speed limit. Furthermore, drivers whose speed is determined to be six miles over the speed limit will have their picture taken but will only receive a warning. Redflex Traffic Systems (Redflex), a private vendor based in Scottsdale, currently provides the technology, equipment and manpower for the two mobile speed enforcement vehicles at a cost of \$4,000 per month per vehicle. Redflex is presently contracted for two years.

DPS issued a Request for Proposal (RFP) to secure a vendor to further broaden the statewide photo enforcement program. The RFP has provisions for up to 20 mobile photo enforcement vans to be scattered throughout Arizona. In addition to the vans, red-light cameras are planned to be installed at up to 30 intersections outside the state's metropolitan areas and the program could also include up to 120 fixed photo radar cameras to be placed

alongside urban freeways and rural highways. The exact number of cameras utilized will be determined during the course of the five year contract as DPS evaluates its effectiveness and expands the program incrementally. The RFP was postponed, however, as DPS has not yet reached an agreement with the various counties around the state that would process the program's citations. According to DPS, because the citations are issued into county justice courts, the fines would not immediately be available to pay vendor fees and administrative costs for the program. As a result, DPS is requesting that the counties partner with the state through intergovernmental agreements to provide a revenue stream to fund the program. Under such an agreement, any monies not utilized to pay for the program would be returned to the counties.

ADDITIONAL REFERENCES

- Arizona Department of Public Safety
<http://www.azdps.gov/safety/photoenforcement/default.asp>
- Arizona Department of Transportation
Technical Evaluation of Photo Enforcement for Freeways – Final Report 596
<http://www.thenewspaper.com/rlc/docs/05-scottsdale.pdf>
- National Conference of State Legislatures
<http://www.ncsl.org/programs/transportation/transer8.htm#summary>
- Photo Enforcement Statute: A.R.S. § 28-654
- Scottsdale, Arizona
City Council Reports, January 30, and June 19, 2007
<http://www.scottsdaleaz.gov/photoradar.asp>
- The Official Web Site of the City of Scottsdale, Arizona
<http://www.scottsdaleaz.gov/photoradar.asp>